

Patent
Atty. Dkt.: LYNN/0130.D

REMARKS

Claims 1-4, 10, 18, 24, 28 and 44 stand rejected under 35 U.S.C. 102(b) as being anticipated by Clark. Applicant has amended independent claim 1 to include the limitation of claim 5, which was indicated to be allowable, so that claim 1 should now be allowed. Claim 1 has also been amended to change "an electrochemical cell" to "at least one electrochemical cell" consistent with the normal interpretation of the term "an" as meaning one or more. Specification support for this amendment is found at page 9, lines 8-11. A similar amendment has been made to a number of the original and newly submitted independent and dependent claims in the case.

Claims 2-4, 10, 18, 24 and 28 ultimately depend from amended claim 1, and should now also be allowed. Claim 44 has been canceled as being substantially redundant to present claim 2. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Claims 82-83 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 82-83 have been canceled because these claims were intended to be dependent upon claim 81 and because the limitations in these two claims are already covered by claims 68 and 73, respectively. Applicant respectfully requests withdrawal of the rejection.

Claims 5-9, 11-17, 19-23, 25-27, 29-43 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 has been canceled and, as mentioned above, the limitation of claim 5 has been incorporated into the independent claim 1. Because all of the remaining claims subject to the present rejection are ultimately dependent upon claim 1, these claims should now be allowed. Applicant respectfully requests withdrawal of the rejection.

Of the 91 claims originally filed, claims 5, 11, 44 and 82-83 have been canceled and claims 45-67, 81 and 84-86 have been withdrawn. Applicant now submits additional claims 92-213 for entry and consideration of the examiner. For the examiner's convenience, Applicant would point out that these new claims should be considered in six groups:

- (1) New claims 92-93 depend from the previously allowed claim 89.

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(2) New claims 94-97 depend from the previously allowed claim 91.

(3) New claims 98-99 depend from claim 1 which is believe to now be in condition for allowance.

(4) New claims 100-142 are a single claim set having an independent claim 100 that covers the subject matter of original claim 6, which was stated as being allowable.

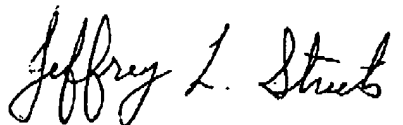
(5) New claims 143-179 are a single claim set having an independent claim 143 that covers the subject matter of original claim 9, which was stated as being allowable.

(6) New claims 180-213 are a single claim set having an independent claim 180 that covers the subject matter of original claim 13, which was stated as being allowable.

In conclusion, Applicant submits that all claims in the present application are entitled to allowance and such action is earnestly solicited.

In the event there are additional charges in connection with the filing of this Response, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/LYNN/0130.D of the firm of the below-signed attorney in the amount of any necessary fee. If the Examiner believes that a telephone interview would expedite allowance of the case, the Examiner may call the undersigned attorney at any time.

Respectfully submitted,



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